

Remarks / Arguments

Substance of Interview of March 26th, 2009

An in-person interview was held on 03/26/2009 between Examiner Patricia L. Nordmeyer, Applicant Ted Dean, and Applicant's attorney Charles Knobloch. Dewi Savitri Reni was also present at the meeting. Applicant stated in the Applicant Initiated Interview Request Form that Miles '591 and Rodriquez '805 fail to disclose the elements as claimed, teach away, fail to predict, and provide no suggestion to combine. Per the interview, Applicant described some of the advantages of Applicant's invention over the art at the time of Applicant's invention. See also, Applicant's affidavit in support of Applicant's discussion. Applicant and Examiner discussed possible amendments to the claims to distinguish over Miles. Examiner noted an Information Disclosure Statement needing review. No agreement with respect to the claims and remarks in the currently pending Response to Office Action was reached. In light of the interview, Examiner and Applicant agreed to allow time to submit this present Supplemental Response. Applicant's attorney called Examiner Nordmeyer shortly after the interview to note that the mentioned Information Disclosure Statement had been filed to cite the references that appear in the original application, as originally filed.

Summary of Amendments to the Claims

Claim 1 is as previously presented in the currently pending Response to Office Action, filed 03-24-2009. Claim 1 has been amended to clarify the structural features and placement of the adhesive elements on the strip of plastic.

Claim 2 is original.

Claim 3 is cancelled without prejudice.

Claim 4 is as previously presented.

Claims 5 - 13 are original.

Claims 14 - 21 are cancelled without prejudice.

Claims 22 - 23 are new.

Summary of Currently Pending Response to Office Action

In the currently pending currently pending Response to Office Action, filed 03-24-2009, Applicant's remarks, directed to the claims as amended, include: Rodriguez (4,817,805) fails to disclose the elements as claimed; a prima facie case of obviousness is not established; there is no suggestion to combine the teachings and suggestions of Rodriguez (4,817,805) and Miles (6,383,591); the combined disclosures of Rodriguez (4,817,805) and Miles (6,383,591) render the combination inoperable; Miles (6,383,591) is non-analogous art; Rodriguez (4,817,805) teaches away from the invention as claimed; Miles (6,383,591) teaches away from the invention as claimed; Rodriguez (4,817,805) and Miles (6,383,591) teach away from the present invention as claimed; and Miller (6,840,391), cited as pertinent to Applicant's disclosure, supports the non-obviousness of Applicant's disclosure. Please see, Response to Office Action, filed 03-24-2008.

Claim Rejections based 35 USC §103

Claim 1 – 21.

Please see, Response to Office Action, filed 03-24-2008.

Claims 22 and 23.

Claims 22 and 23 are new and added to claim the rolled-state embodiment of the present invention. This is disclosed in the original specification as filed, for example, in Figs. 2. and 3. Claim 23 further claims perforations. Claims 22 and 23 depend upon Claim 1 and should be allowable should the Examiner find Claim 1 to be allowable. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). MPEP 2143.03.

Summary.

For all the above reasons, Applicant submits that the claims are now in proper form and that the claims all define patentably over the prior art. Therefore applicant submits that this application is now in condition for allowance and favorable action on the merits of this case is respectfully requested.

Two claims were added. It is believed no fees are due regarding claims. Payment of additional fees for Extension for Response within the Third Month, 37 CFR 1.17(a)(3), is included with this Supplemental Response. The Commissioner is hereby authorized to charge Deposit Account No. 01-2511 for any fees associated with this application, and to charge any additional filing fees or credit any overpayment to Deposit Account No. 01-2511.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Charles Knobloch". The signature is fluid and cursive, with the first name "Charles" and last name "Knobloch" clearly distinguishable.

Charles Knobloch, J.D., P.G.
Patent Attorney for Applicant